

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION.**

WRIT PETITION NO. 9197 OF 2016

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Yogendra Pendse for the Petitioner.
Mr. Shankar Thorat for the Respondent No.1.
Mr. Satish P. Mandvekar, Asst. Administrative Officer, 2 Palghar present.
Mr. Ajay Pathak, Asst. Administrative Officer, 2 Thane present.

CORAM : K. K. TATED, J.

DATED : 16/12/2016

PC.:

. Heard learned Counsel for the parties.

2 By this petition under Articles 226 & 227 of Constitution of India, the Petitioner is challenging the judgment dated 18.06.2016 passed by the Industrial Court, Thane in Complaint (ULP) No. 125 of 2012.

3 The main contention raised by the learned Counsel for the Petitioner that at the time of dismissing the complaint the Industrial Court has not considered properly the Government Resolution dated 27.06.2008 issued by GAD Department, State of Maharashtra.

4 The learned Counsel for the Respondent after having instructions from his officer who is present in the court makes a statement that they have no objection if the matter is remanded to the Industrial Court for deciding on its own merits by keeping all contentions of both the parties open.

5 To that effect, both the parties are giving in writing on Farad. Same is taken on record and marked "X" for its identification. Same is accepted.

6 The learned Counsel for the Respondent submits that in cause title, petitioner has shown Thane Zilla Parishad as Respondent. He submits that in view of bifurcation of Districts, the same should be Zilla Parishad, Palghar to join as party.

7 Liberty granted to the petitioner, if he so desire to join Zilla Parishad, Palghar.

8 By consent of both the parties, following order is passed:

a) The impugned order dated 18.06.2016 passed by the Industrial Court, Maharashtra at Thane in Complaint (ULP) No. 125 of 2012, is set aside.

b) Matter is remanded to the Industrial Court to decide the Complaint (ULP) No. 125 of 2012 on its own merits considering the Government Resolution dated 27.06.2008.

c) All contentions of both the parties are

kept open. They are at liberty to file additional affidavit and/or documents in the Trial Court.

d) Both the parties to remain present before the Industrial Court, Thane on 30.01.2017 to fix date for further hearing.

e) Writ Petition stands disposed of accordingly.

(K.K.TATED, J.)